

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
Tuesday, October 8th, 19 74

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers

Tuesday evening October 8 A.D., 19 74, in Regular

Session. President Samuel J. Talarico in the chair, and

Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

Burns ✓, Hinga ✓, Kraus ✓

Moses ✓, Nuckols ✓, Donald Schmidt ✓

Vivian Schmidt A, Stier ✓, Talarico ✓

Absent _____

Councilmen V. Schmidt, _____, _____

The invocation was given by Reverend John Gillig - Sacred Heart Catholic Church

Received report from the City Controller for the month of _____,
19 _____. Motion made and carried that report be made a matter of record and
placed on file.

The minutes of the last regular September 13, 19 74,
September 10, 19 74,

Session having been delivered to the Council, were, on motion, approved and
published.

MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

office of the mayor

MADE A MATTER OF RECORD

DATE 10/5/74 CHARLES W. WESTERMAN, CITY CLERK

September 25, 1974

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, September 25, 1974, I have approved the following ordinances passed by Common Council at its regular meeting on September 24, 1974.

(Bill No. S-74-09-01)
SPECIAL ORDINANCE NO. S-152-74

AN ORDINANCE approving a bid document for the installation and construction of fountains at Reservoir Park.

(Bill No. S-74-09-02)
SPECIAL ORDINANCE NO. S-153-74

AN ORDINANCE approving a certain bid document for a boiler for McCulloch Re-creation Center.

(Bill No. S-74-09-03)
SPECIAL ORDINANCE NO. S-154-74

AN ORDINANCE approving a contract with SAFETY EQUIPMENT CO., INC. for Emergency Medical Services Vehicles.

(Bill No. S-74-09-04)
SPECIAL ORDINANCE NO. S-155-74

AN ORDINANCE approving a certain bid document for the furnishing of street trees.

(Bill No. S-74-09-25)
SPECIAL ORDINANCE NO. S-156-74

AN ORDINANCE repealing Special Ordinance No. S-136-74

(Bill No. R-74-09-16)
RESOLUTION NO. R-75-74

A RESOLUTION transferring certain funds in the 1974 Budget of the Street Department.

(Bill No. R-74-09-17)
RESOLUTION NO. R-76-74

A RESOLUTION transferring certain funds in the 1974 Budget of the Fire Department.

(Bill No. R-74-09-18)
RESOLUTION NO. R-77-74

A RESOLUTION transferring certain funds in the 1974 Budget of the Park Department.

(Bill No. R-74-09-19)
RESOLUTION NO. R-78-74

A RESOLUTION transferring certain funds in the 1974 Budget of the Police Department.

(Bill No. R-74-09-26)
RESOLUTION NO. R-79-74

A RESOLUTION repealing Resolution No. R-68-74

(Bill No. R-74-09-27)
RESOLUTION NO. R-80-74

A RESOLUTION authorizing the issuance and sale of \$500,000 Economic Development Revenue Bonds, (Paramount Industries Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by Paramount Industries, Inc. authorizing the execution of the necessary instruments; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bond.

(Bill No. Z-74-04-13)
ZONING MAP ORDINANCE NO. Z-16-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB7.

(Bill No. G-74-09-09)
(as amended)
GENERAL ORDINANCE NO. G-24-74

AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.

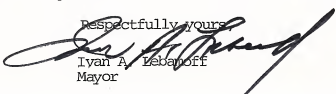
(Bill No. G-74-09-09)
GENERAL ORDINANCE NO. G-25-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public utility.

(Bill No. S-74-09-11)
SPECIAL ORDINANCE NO. S-157-74

AN ORDINANCE approving an agreement with Fort Wayne Community Schools for sewer extension serving Blackhawk Junior High School.

Respectfully yours,


Ivan A. Lebanoff
Mayor



THE CITY OF FORT WAYNE

office of city plan commission

SEPTEMBER 27, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE MAIN STREET
FORT WAYNE, INDIANA 46802

GENTLEMEN AND MRS. SCHMIDT:

ATTACHED HERETO IS THE RECOMMENDATION OF THE CITY PLAN COMMISSION ON ONE (1) ORDINANCE CONCERNING THE AMENDMENT OF THE ZONING ORDINANCE (GENERAL ORDINANCE NUMBER 2836, AMENDING CHAPTER 36 OF THE MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA, 1946). THE PROPOSED ORDINANCE IS DESIGNATED AS:

BILL NO. Z-74-03-18

RESPECTFULLY SUBMITTED,

CITY PLAN COMMISSION

CERTIFIED AND SIGNED THIS
27TH DAY OF SEPTEMBER, 1974.

Thomas Offerle

THOMAS OFFERLE
SECRETARY

MADE A MATTER OF RECORD
DATE 10/8/74 CHARLES W. WESTERMAN, CITY CLERK
[Signature]



THE CITY OF FORT WAYNE

office of city plan commission

September 27, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmitt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.


1. Bill No. Z-74-03-18
2. From "RB" to "B1B"
3. Intended use: Shopping area
4. The public hearing for this rezoning was held May 13, 1974. At the Business Meeting held May 20, 1974, the Plan Commission suggested to the attorney that he consult with the Plan Commission staff regarding the possible rezoning of the entire parcel bounded by U.S. Highway # 27, John Street and Tillman Road.

The attorney is now requesting that this ordinance be withdrawn in order to submit a new petition for the rezoning of the entire parcel of ground. (See attached letter requesting WITHDRAWAL).

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT AND PLANNING


Gary F. Baeten
Zoning Administrator
Division of Long Range Planning
and Zoning

GFB/gs
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-03-18; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 13, 1974;

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

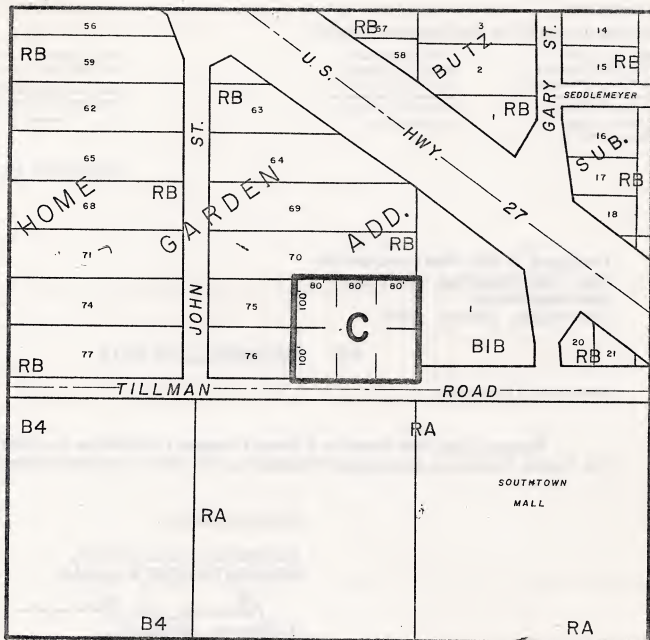
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 20, 1974.

Certified and signed this
27th day of September, 1974.


Thomas J. Offerle
Secretary



C CHANGE FROM RB TO BIB

2-7403-18



LAW OFFICES

ROTHBERG, GALLMEYER, FRUECHTENICHT & LOGAN

SOL ROTHBERG
THOMAS A. GALLMEYER
GEORGE E. FRUECHTENICHT
THOMAS D. LOGAN
PHILLIP E. GUTMAN
JOHN H. HEINEY
VERN E. SHELTON

DONALD M. AIKMAN
MARTIN T. FLETCHER
DAVID A. TRAVELSTEAD
RICHARD D. ROBINSON
THOMAS M. GALLMEYER
RICHARD E. FOX

AREA CODE 219
TELEPHONE 422-9454

INDIANA BANK BUILDING
FORT WAYNE, INDIANA
46802

September 26, 1974

Chairman of City Plan Commission
City-County Building - 6th Floor
One Main Street
Fort Wayne, Indiana 46802


RE: Bill Number Z-74-03-18

Dear Mr. Chairman:

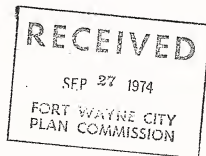
Please accept this letter as a formal request to withdraw our Petition for Zoning Ordinance Amendment identified by the above captioned matter.

Sincerely yours,

ROTHBERG, GALLMEYER,
FRUECHTENICHT & LOGAN


Thomas M. Gallmeyer,
Attorney for H & L Realty

TMG/jat





THE CITY OF FORT WAYNE

office of city plan commission

October 2, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) zoning ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-08-31

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of October, 1974

Thomas J. Offert
Secretary

MADE A MATTER OF RECORD
DATE 10/8/74 CHARLES W. WILSON



THE CITY OF FORT WAYNE

October 2, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held June 17, 1974. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-74-08-31
2. From "R1" to "R3"
3. Plan Commission Recommendation: DO PASS
4. Intended Use: Apartment Complex
5. Reason for this recommendation:

This petitioned change is being requested in order to develop an apartment project on this site. The proposed project would be compatible with the surrounding land uses which consists of commercial and a multiple family project to the west. The project provides for ample off-street parking and meets "R3" apartment requirements.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING

Ned Beck
Director
Division of Long Range Planning and Zoning

NB:pr
ATT.

cc: Mayor Lebamoff

RESOLUTION FOR PETITION FOR REZONING ORDINANCE AMENDMENT

WHEREAS, the Fort Wayne City Plan Commission has found that the attached zoning amendment for the area generally described as follows:

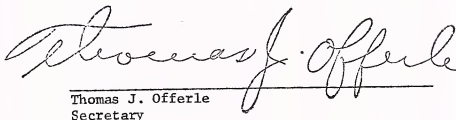
Lots 46, 47, 48, 49, 56, 57, 58 & 65 in Fisher Place Addition,
located on the east side of Oakland, between Florence and
Margaret Avenue.

is in the best interest of the City of Fort Wayne; and,

WHEREAS, a public hearing was duly advertised and held on June 17,
1974, at 7:30 P.M., concerning said ordinance.

BE IT RESOLVED that the City Plan Commission transmit same to
City Council for introduction and passage.

Certified and signed this
18th day of June, 1974.


Thomas J. Offerle
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the City Plan Commission, at their regular meeting of June 17, 1974, initiated a resolution for the rezoning of the following described property from an "R1" to "R3"

Lots 46, 47, 48, 49, 56, 57, 58, & 65 in Fisher Place Addition, located on the east side of Oakland, between Florence and Margaret Avenues.

WHEREAS, the required notice of public hearing on such proposed resolution has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed resolution on June 17, 1974, and gave a recommendation of DO PASS.

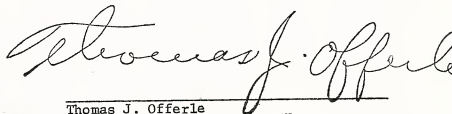
WHEREAS, on August 14, 1974, this resolution was sent to the Common Council requesting INTRODUCTION and ACTION be taken on this recommendation.

WHEREAS, on August 27, 1974, the Common Council of the City of Fort Wayne, Indiana, introduced this proposed resolution, which proposed ordinance was designated as Bill No. Z-74-08-31, and referred back to the City Plan Commission, with NO ACTION TAKEN on this resolution.

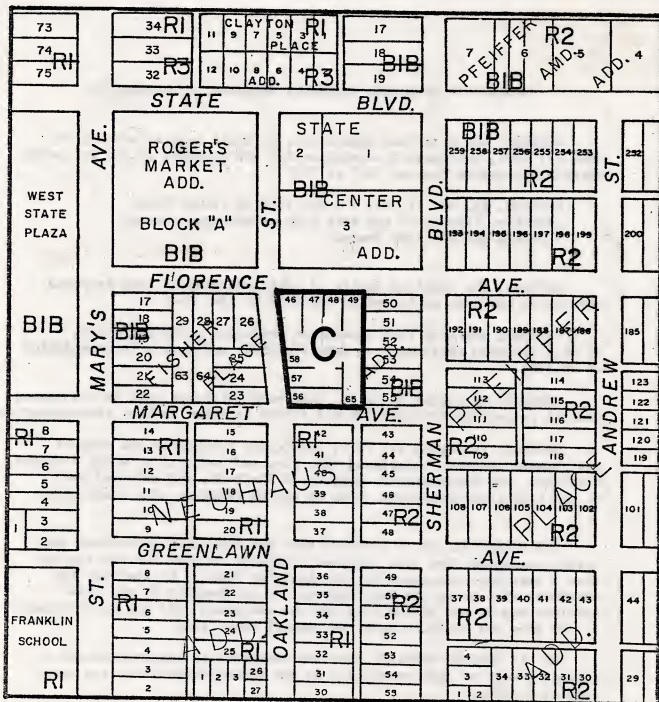
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City and the amendment will not be detrimental to and does not conflict with the overall City Plan.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this
2nd day of October, 1974.



Thomas J. Offerle
Secretary



C CHANGE FROM RI TO R3



THE CITY OF FORT WAYNE

office of city plan commission

October 9, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836 amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-02-28

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
2nd day of October, 1974.

Thomas J. Offerle
Secretary

MADE A MATTER OF RECORD
DATE 10/18/74 CHARLES W. WEST



THE CITY OF FORT WAYNE

October 2, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-74-02-28
2. From "R1" to "R3"
3. Intended Use: Apartment Complex
4. Plan Commission Recommendation: WITHDRAWAL
5. The Plan Commission, at their regular meeting held May 20, 1974, recommended a "DO PASS", although they did feel that the remaining three (3) lots zoned "R1" should be either included in this petition or the Plan Commission, on its own initiative should pass a resolution to have Council rezone remaining three (3) lots to an "R3".

Reason for this recommendation:

This petitioned change is being requested in order to develop an apartment project on this site. The proposed project would be compatible with the surrounding land uses which consist of commercial and a multiple family project to the west. The project provides for ample off-street parking and meets "R3" apartment requirements.

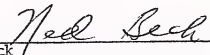
6. The City Plan Commission submitted a resolution to the Common Council for the rezoning of the entire parcel of ground to an "R3".

October 2, 1974

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING


Ned Beck
Director
Division of Long Range Planning and Zoning

NB:pr
ATT.

cc: Mayor Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 26, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-02-28; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 13, 1974;

WHEREAS, the City Plan Commission, at their regular meeting held May 20, 1974, suggested to the petitioner that an additional three (3) lots be included in this rezoning.

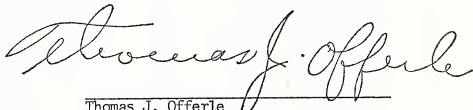
WHEREAS, the City Plan Commission, on its own initiative, submitted a resolution to include this parcel of ground, along with an additional three (3) lots, to be rezoned to an "R3";

NOW THEREFORE, BE IT RESOLVED, that the petitioner has submitted a letter of WITHDRAWAL, in order for a new petition to be submitted.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 20, 1974.

Certified and signed this
2nd day of October, 1974.



Thomas J. Offerle
Secretary

73 74 75	34 RI 33 32 R3	11 9 7 12 10 8 ADD.	CLAYTON PLACE 3 4 1 R1 R3	17 18 19	BIB	7 6 5 PFEIFFER R2 AMD-5 ADD. 4	
STATE BLVD.		STATE BLVD.		STATE BLVD.		STATE BLVD.	
WEST STATE PLAZA BIB	AVE. MARY'S	ROGER'S MARKET ADD. BLOCK "A" BIB		STATE 2 1 BIB CENTER 3 ADD.		259 258 257 256 255 254 253 BIB R2 R2	
		FLORENCE		C		193 194 195 196 197 198 199 R2	
		SHEPHERD		48 49 50 51 52 53 54 55 BIB		192 191 190 189 188 187 186 R2	
		MARGARET		AVE.		113 114 112 115 111 116 110 117 109 118 R2	
8 7 6 5 4 3 2	14 RI 13 RI 12 11 10 9	15 16 17 18 19 20	21 22 23 24 25 26 27	41 42 43 44 45 46 47 48	49 50 51 52 53 54 55	108 107 106 105 104 103 102 R2	123 122 121 120 119
FRANKLIN SCHOOL RI	ST.	GREENLAWN		OAKLAND		ANDREW	
		8 7 6 5 4 3 2		36 35 34 33 32 31 30		44 43 42 41 40 39 38 37 R2	
		21 22 23 24 25 26 27		49 50 51 52 53 54 55		44 43 42 41 40 39 38 37 R2	
		1 2 3		31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55		44 43 42 41 40 39 38 37 R2	

C CHANGE FROM RI TO R3

2-74-02-28

N



September 30, 1974

City Plan Commission
City County Building
Ft. Wayne, Indiana

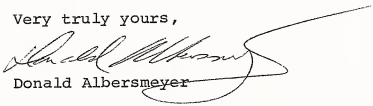
Re: Rezoning Oakland Avenue
Bill #Z740228

Dear Sirs:

I would like to withdraw my request for rezoning on the above named property under bill number Z740228. I am taking this step in lieu of a new bill for rezoning of this property that I have submitted to the City Plan Commission.

Thank you for your cooperation in this matter.

Very truly yours,



Donald Albersmeyer



THE CITY OF FORT WAYNE

office of city plan commission

September 26, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

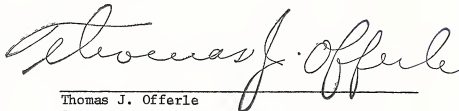
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-08-12


Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of September, 1974.



Thomas J. Offerle
Secretary

MADE A MATTER OF RECORD
DATE 10/8/74 CHARLES W. WESTERMAN, CITY CLERK




THE CITY OF FORT WAYNE

September 26, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 23, 1974. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-74-08-12
2. From "R2" to "B1B"
3. Plan Commission Recommendation: DO NOT PASS
4. Intended use: Office
5. This ordinance received a DO NOT PASS recommendation for the following reasons:
 - a. This area is highly congested at take up and spill times for area industry, school, and local business. Traffic moves very fast on Clinton Street. This immediate area has been the scene of many "Run-of-the-road" type accidents. High volumes of pedestrian traffic and limited right-of-way prevents or restricts adequate access.
 - b. No actual need has been shown on the part of the petitioner to necessitate the rezoning of this property.
 - c. The rezoning of this property would encourage future petitions of this kind in the area.
 - d. In our opinion this petition could not be construed to be an extension of an established business zone simply because there are no businesses on the south side of East Foster Parkway - only single family homes.

September 26, 1974

- e. This is an area of low and moderate income housing and as evidence by the testimony at the public hearing, the residents have a sense of pride in ownership as evidenced by their improvements of the property. This is still an excellent residential area which should not be a victim of commercial encroachment.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT AND
PLANNING



Ned Beck
Director
Division of Long Range Planning and Zoning

NB:pr
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 13, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-08-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

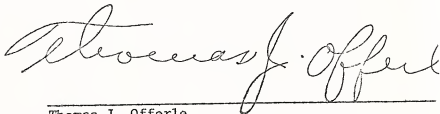
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 16, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

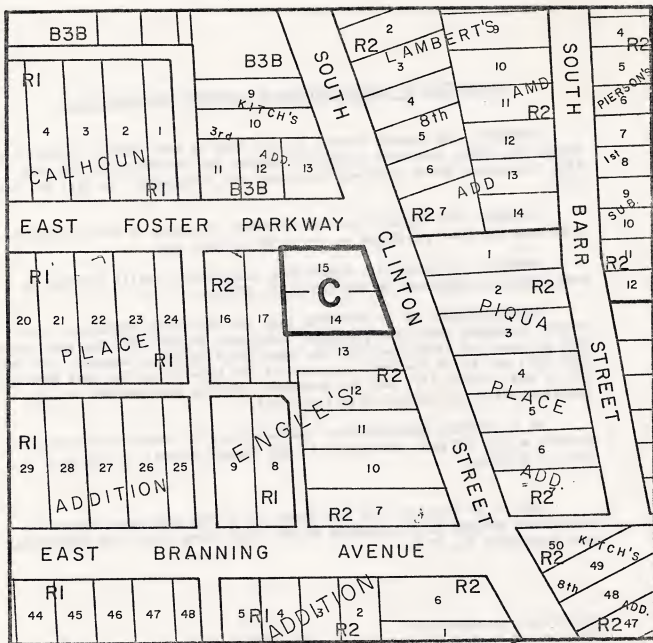
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 23, 1974.

Certified and signed this
26th day of September, 1974.



Thomas J. Offerle
Secretary



C CHANGE FROM R2 TO B1B

2-74-08-12



THE CITY OF FORT WAYNE

office of city plan commission

September 26, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-02-09


Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of September, 1974



Thomas J. Offerle
Secretary

MADE A MATTER OF RECORD
DATE 10/1/74 CHARLES W. WESTERMAN, CITY CLERK 



THE CITY OF FORT WAYNE

September 26, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held March 25, 1974. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-74-02-09 (From "R2" and Perfected to a "B1B")
2. Plan Commission Recommendation: DO PASS
3. Intended use: Restaurant
4. This ordinance received a DO PASS recommendation for the following reasons:
 - a. The land use south of Lake Avenue, along Coliseum Blvd., is zoned entirely commercial, while north of Lake Avenue, along Coliseum Blvd., the zoning ranges from "R1" to "B1B"
 - b. The Commission would have a greater opportunity of insuring commercial compatibility in this area if the petition were for a "B1B" instead of a "B3B".

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

DEPARTMENT OF COMMUNITY DEVELOPMENT
AND PLANNING

Ned Beck
Director
Division of Long Range Planning and Zoning

NB:pr

ATT.

cc: Mayor Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-02-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

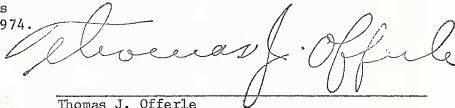
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 18, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be PERFECTED TO A "BIB" and DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

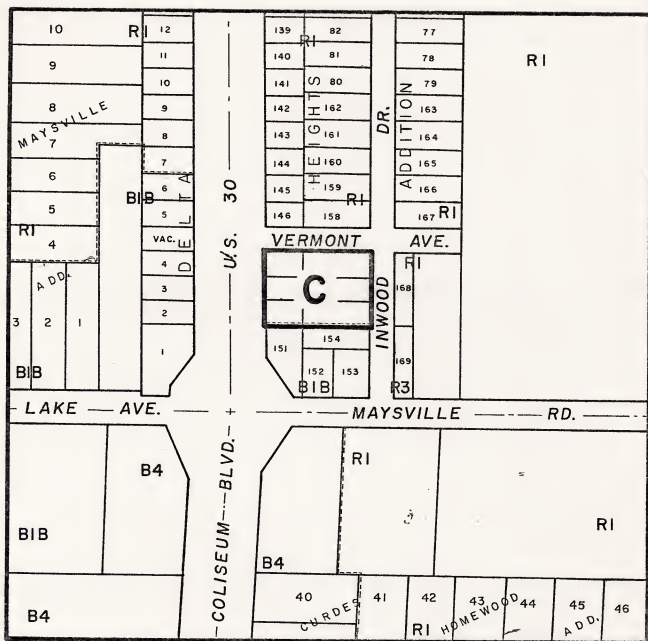
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
26th day of September, 1974.



Thomas J. Offerle
Secretary



C CHANGE FROM RI TO B3B

2-74-02-09





THE CITY OF FORT WAYNE

department of public safety

October 4, 1974

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Number 35-74-E, 36-74/D and 37-74/D.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety

TJC/ss

MADE A MATTER OF RECORD
DATE 10/8/74 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 35-74 /E) 36-74/D, 37-74/D

I hereby certify that I did this 4th day of October, 19 74 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within ^{36-74/D & 37-74/D} Regulatory Resolution No. 35-74 /E, of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

Richard M. Dabbs

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO.35-74 /E

(Adopted October 4 , 1974)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G -55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Stop Intersection

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated September 4 & 20 , 1974 , submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective October 4 ,

1974 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. STOP INTERSECTION

1. Branning Avenue - stop - at Indiana Avenue
2. Foster Parkway - stop - at Indiana Avenue
3. Fox Avenue - stop - at Dewald Street

REGULATORY RESOLUTION NO. 36-74 /D

(Adopted October 4, 19 74)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 62, 41 of said chapter as so amended delegates to this Board authority to designate preferential intersection and Play Street

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 4 & 20, 1974, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 62 & 41 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14, 1961. it is hereby

ordered, effective October 4, 1974, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

DELETE:

A. PREFERENTIAL INTERSECTION

1. Indiana Avenue - preferential - at Foster Parkway
2. Indiana Avenue - preferential - at Branning Avenue
3. Dewald Street - preferential - at Fox Avenue

B. PLAY STREET

1. Pasadena Avenue - from - Arlington Avenue to Fairfield Avenue 9:45 AM to 10:20AM, 11:30AM to 12:30PM and 1:20PM to 2:00PM-School year 1974-75 when Barricades are in place Monday thru Friday.
2. East-West alley - from - Broadway to Van Buren St., between Washington Blvd. and Jefferson Blvd. 10:00AM to 10:30AM 11:45 to 12:45PM and 2:00PM to 2:30PM School Year 1974-75 when barricades are in place, Monday thru Friday.

REGULATORY RESOLUTION NO 37-74 /D

(Adopted October 4, 1974)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 41.121 of said chapter as so amended delegates to this Board authority to designate Play Street,
No Parking

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated September 25, 26, 1974, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 41.121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby

ordered, effective October 4, 1974 and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. PLAY STREET

1. North-South alley - from - Spring St. to Huffman St. between St. Mary's Ave. and Oakland St. 8:00AM to 8:45AM, 11:30AM to 12:30PM and 3:00PM to 3:30PM School Year 1974-75 when barricades are in place Monday thru Friday.

B. NO PARKING PASSENGER LOADING ZONE

1. Reed St. - east side - from 50' north of Creighton Ave. to 100' north thereof.

C. NO PARKING

1. Calhoun St. - east side - from East Wildwood Ave. to 75' south thereof

STATE OF INDIANA

INDIANA STATE HIGHWAY COMMISSION

100 North Senate Avenue
Indianapolis, Indiana 46204



INDIANAPOLIS

Room 1101, State Office Building
317-633-5816

October 1, 1974

City Clerk
City-County Building
Fort Wayne, Indiana 46802

Re: US 30
City of Fort Wayne
Allen County
Temporary Passing Restriction

Dear Sir:

Attached is a copy of a resolution temporarily restricting passing on US 30 in the City of Fort Wayne, Allen County, as approved by the Indiana State Highway Commission on September 30, 1974.

Very truly yours,

Clinton A. Venable

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor I. Lebanoff
Clerk of Circuit Court
State Police
Fort Wayne District

CAV/md

MADE A MATTER OF RECORD
DATE 10/8/74 CHARLES W. WESTERMAN, CITY CLERK

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Passing shall be temporarily restricted on US 30 in the City of Fort Wayne, Allen County, as follows:

"NO PASSING" for both directions from Junction US 33 to the east Junction of SR 1 (Northrop Ave.), a distance of approximately 1.85 miles. This restriction applies to the eastbound lane of the presently constructed dual lane on US 30.

NOTE: This temporary restriction shall be rescinded upon completion of US 30 construction at the discretion of the District Engineer..

NOTE: This action amends and/or supercedes previous official action at the above named location(s).

ADOPTED THIS 19th DAY OF September, 19 74

Approved: Clinton A. Wuchel Indiana State Highway Commission
Chief, Division of Traffic

Approved: Robert L. Egan BY: Robert F. Marshall
Chief of Highway Operations Executive Director

Approved: J. K. Hallor ATTEST:
Chief Highway Engineer

David L. Wagoner
Secretary to the Commission

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 8th day of October, 19 74; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 8th day of October, 19 74.

Charles W. Westerman
City Clerk

SEAL